

3896. Misbranding of Sur-San Powder. U. S. v. 81 Kits, etc. (and 1 other seizure action). (F. D. C. No. 30922. Sample Nos. 19015-L, 19016-L.)

LIBELS FILED: April 19, 1951, District of Minnesota.

ALLEGED SHIPMENT: On or about June 19, 25, and 29, 1950, by the Sur-San Co., from Des Moines, Iowa.

PRODUCT: 81 kits, each containing a tube and bulb and 2 3-ounce bottles of *Sur-San Powder*, and 29 kits, each containing a tube and bulb and 1 3-ounce bottle of *Sur-San Powder*, at Minneapolis, Minn., together with various circulars entitled "What Is Sur-San?"

Examination showed that the article consisted essentially of boric acid and alum, with small proportions of thymol, eucalyptol, methyl salicylate, and menthol.

LABEL, IN PART: "Sur-San * * * Astringent Vaginal Deodorant Powder."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the circular were false and misleading since the article was not effective for the conditions stated and implied nor for the purposes mentioned: "Why I Should Use Sur-San! The secret to a perfect home is perfect health * * * Feminine Hygiene * * * alleviate—itching burning sensations—of the vaginal tract—thereby eliminating offensive discharge so common to most women * * * it is invaluable to the vaginal tract * * * Ladies going through the menopause * * * Younger women swear by it at their menstrual period—as it contains an ingredient which has a tendency to subdue these bearing down pains. * * * Sur-San has been known to clear up conditions in a very few treatments—which in some cases were of long standing. * * * It corrects the condition * * * Sur-San was primarily gotten out for the woman who cannot afford to go to her doctor frequently. It is a Home treatment. * * * Sur-San is also very efficacious in cases of * * * profuse bleeding caused from cuts. Apply on cut until blood coagulates before your doctor comes."

DISPOSITION: October 7, 1952. Default decrees of condemnation and destruction.

3897. Misbranding of Persulan hair ointment. U. S. v. 1 Jar, etc. (F. D. C. No. 32534. Sample No. 33691-L.)

LIBEL FILED: February 20, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 21, June 19, October 26, and December 27, 1951, and January 7, 1952, by Drake Laboratories, Inc., from Detroit, Mich.

PRODUCT: *Persulan hair ointment*. 1 1-pound jar, 2 8-ounce jars, 2 4-ounce jars, 47 2-ounce jars, and 33 ½-ounce jars; 126 sets, each containing 1 2-ounce jar and 1 ½-ounce jar; and 520 cartons, each containing 1 2-ounce jar and 5 ½-ounce jars, at Chicago, Ill., together with a leaflet headed "Pertinent Facts About Persulan" accompanying each jar, and 82 envelopes known as "Guarantee Sets" which were shipped with the product.

LABEL, IN PART: (Jar) "Persulan * * * Contains Balsam Peru, Sulphur Prec., Lanolin, Resorcinol, Jaborandi Tinct."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article, namely, on the carton labels and in the above-mentioned printed and graphic matter which accompanied the article, were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for baldness, itchy scalp ringworm, scalp

disorders, and psoriasis, and that the article would give one a healthy scalp. The article was not an adequate and effective treatment for such conditions.

DISPOSITION: October 29, 1952. Drake Laboratories, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

3398. Misbranding of Holder's Condensator device, Holder's Metallic Indicator Device, and Holder's Antimet Compound tablets. U. S. v. 1 Device, etc. (F. D. C. No. 33924. Sample Nos. 14196-L, 14201-L, 14202-L.)

LABEL FILED: October 22, 1952, District of Colorado.

ALLEGED SHIPMENT: The *Holder's Condensator device* and the *Holder's Metallic Indicator device* were shipped on or about October 24, 1949, by the Dresser Electric Co., from Detroit, Mich.; the *Holder's Antimet Compound tablets* were shipped on or about February 15, 1950, by the Redloh Distributing Co., from Detroit, Mich.; and a number of leaflets and pamphlets were shipped at various times by W. E. Holder (Holder's Research Laboratories), from Windsor, Canada.

PRODUCT: 1 *Holder's Condensator device*, 1 *Holder's Metallic Indicator device*, and 1,200 tablets of *Holder's Antimet Compound* contained in bottles at Denver, Colo., together with a number of copies of leaflets entitled "An Astounding Discovery" and "Case History Victory Over Arthritis," and a number of pamphlets entitled "In the Interest of Preventive Medicine," "Free Sciences' Challenges Health Administration," "Remarkable Results Obtained By Use of Holder's Anti-Met Tablets," "Reports and Calibration," and "Biological Attack on Disease."

The *Holder's Metallic Indicator device* was represented to be a method of determining metallic content in humans, water, milk, liquids, food, and soil. The *Holder's Condensator device* was represented as capable of producing shock therapy with intra-cellular massage. It was an ordinary spark generator whose voltage output caused a gas to glow similar to a neon sign. No examination has been made of the *Holder's Anti-Met Compound tablets* since they were assumed to have the composition stated on the label. The ingredient "Volclay" was found to be bentonite.

LABEL, IN PART: "'Holder's' Ultra-Short Wave H. F. Condensator * * * Made in U. S. A., Holder's H. F. Condensator Co., Detroit, Michigan," "'Holder's' Metallic Indicator * * * Holder's Research Laboratories, Windsor, Ontario, Canada," and "'Holder's' 'Antimet' Compound Compressed Each Contains Glycerin 1.13 grs. Volclay 12.00 grs."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned leaflets and pamphlets accompanying the devices and the tablets were false and misleading. The statements represented and suggested that the devices and the tablets were capable of preventing, diagnosing, and curing almost all diseases known to man, the causes of which are due to metallic poisoning from the ingestion of chlorinated water and foods grown on commercially fertilized soils, including infantile paralysis, cancer, arthritis, stomach troubles, anemia, rheumatism, chronic respiratory infections, stomach peptic ulcers, constipation, abnormal colon (spastic colon, ulcerated colon, and atonic colon), nervousness, sclerosis, anemia, rickets, tuberculosis, syphilis, rheumatoid arthritis, heart disease, eye ailments, bad teeth, perverted appetite, digestive impairment, debility, dysmenorrhea, amenorrhea, nervous dis-

turbance, Hodgkin's disease, children's ailments, hardening of the arteries, pulmonary ailment, leukemia, dental decay, cataract, glaucoma, diseases of the eyes, deafness, head noises, diseases of the spinal nerve centers, diseases of the feet and ankles, circulatory disorders, gout, muscular rheumatism, diabetes, asthma, epilepsy, neuritis, neuralgia, sciatica, lumbago, headaches, sinus trouble, hay fever, colds, bronchitis, influenza, tonsillitis, quinsy, laryngitis, prostate trouble, and female ailments. The devices and the tablets, either alone or in combination, were not capable of preventing, diagnosing, or curing any diseases or condition, and were completely ineffective for any therapeutic use.

DISPOSITION: December 10, 1952. Default decree of condemnation. The court ordered that the devices and tablets and the leaflets and pamphlets be turned over to the Food and Drug Administration.

3899. Misbranding of colon irrigator device. U. S. v. 111 Enema Bags, etc.
(F. D. C. No. 33891. Sample Nos. 37917-L, 37927-L.)

LIBEL FILED: October 2, 1952, Southern District of New York.

ALLEGED SHIPMENT: The enema bags were shipped from Providence, R. I., on or about April 2 and August 7, 1952, and the injection points and faucets for use with the bags were shipped from Hawthorne, N. J., on or about September 9, 1952.

PRODUCT: 111 enema bags, 28 injection points, and 28 faucets, together with a number of *colon irrigator devices* assembled from such parts, and booklets entitled "Why We Should Bathe Internally," at New York, N. Y., in possession of J. B. L. Cascade, Inc.

RESULTS OF INVESTIGATION: Investigation disclosed that the consignee assembled the enema bags, injection points, and faucets, and packaged them into cartons, together with a tube of a lubricant, a jar containing a scented mixture of salt, soda, and borax, and a leaflet entitled "Condensed Directions for Using the J. B. L. Cascade."

LABEL, IN PART: (Carton) "For Colon Hygiene At Home J. B. L. Cascade Internal Bath * * * Mfd. For Tyrrell's Hygienic Institute, Inc. * * * New York * * * N. Y."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the device, namely, on the carton label and in the booklet entitled "Why We Should Bathe Internally," were false and misleading. The statements represented and suggested that the device constituted an adequate and effective means of treatment and prevention for colon hygiene, auto-intoxication (intestinal toxemia), chronic constipation, continued fatigue, lassitude, general debility, unusual nervousness, feeling of being dragged down, absence of a maximum of buoyant energy which characterizes a normal healthy person, increased susceptibility to colds due to a "run down" state of health, various kinds of headaches, certain so-called "rheumatic" pains, distress after eating, some states of insomnia, gallstones, many abnormal skin conditions, "out of sorts," irritability, restlessness, inability of the blood to carry proper nourishment to the different organs of the body, diminished body resistance, various infections, poisons created by abnormal disease conditions, chronic invalidism, functional and degenerative structural changes, decreased mental and physical efficiency, mucous colitis, arthritis, many mental conditions, hypertension, coronary disease, chronic abdominal distension, colitis, aggravation of existing cardiac, renal, hepatic, digestive, and nervous condi-